

CHAPTER 1: PURPOSE AND NEED

INTRODUCTION

The Bureau of Land Management (BLM) Miles City Field Office has revised and combined the Big Dry (1996) and Powder River (1985) Resource Management Plans (RMPs), as amended, into one document, the *Miles City Field Office Proposed Resource Management Plan and Final Environmental Impact Statement* (PRMP/FEIS). This proposed version of the RMP was prepared in consideration of comments from the BLM, other agencies, the public, cooperating agencies, and other collaborators during the planning process.

After considering comments on the Draft RMP/EIS and making appropriate changes, the BLM is issuing this PRMP/FEIS. However, the proposed decisions are not approved until the Record of Decision (ROD) is issued. The ROD is the planning document outlining management objectives and actions applicable to BLM-administered lands and minerals in the planning area. The BLM decisions proposed in this document would only apply to BLM-administered surface and mineral estate acres (Table 1-1 and Map 1). This would include the BLM-administered mineral estate that is under privately owned land, which is commonly referred to as split estate land. This document will not include planning or management decisions for lands or minerals privately owned, owned by the State of Montana, owned by local governments, or administered by other federal agencies.

TABLE 1-1.
LANDS IN THE PLANNING AREA

County	Total County Acres	BLM-administered Surface Acres and Percentage of Total County Surface Acres	BLM-administered Mineral Acres and Percentage of Total County Mineral Acres
Big Horn ¹	636,274	27,272 (4%)	360,903 (57%)
Carter	2,143,093	503,790 (24%)	1,108,318 (52%)
Custer	2,427,607	332,459 (14%)	722,874 (30%)
Daniels	912,751	200 (<1%)	387,058 (42%)
Dawson	1,525,192	62,016 (4%)	642,972 (42%)
Fallon	1,038,500	115,261 (11%)	257,423 (25%)
Garfield	3,102,325	493,491 (16%)	1,583,753 (51%)
McCone	1,717,078	200,808 (12%)	857,968 (50%)
Powder River	2,110,893	255,875 (12%)	1,180,600 (56%)
Prairie	1,115,213	447,462 (40%)	614,137 (55%)
Richland	1,345,067	51,601 (4%)	813,708 (60%)
Roosevelt	1,516,468	4,197 (<1%)	334,457 (22%)
Rosebud	3,217,234	230,056 (7%)	649,658 (20%)
Sheridan	1,090,439	261 (<1%)	847,306 (78%)
Treasure	629,854	748 (<1%)	35,615 (6%)
Valley ²	720,382	0 (0%)	0 (0%)
Wibaux	568,346	26,033 (5%)	214,240 (38%)
Total	25,816,716	2,751,530	10,610,990

Source: data as reported in Public Land Statistics publication, 2013

¹Big Horn County is split between the Miles City and Billings Field Offices.

²Valley County ownership in the Miles City Field Office only includes a portion of the Fort Peck Indian Reservation

The BLM decisions proposed in this document would not change existing rights or authorizations (e.g. terms and conditions of existing oil and gas leases or rights-of-ways (ROWs)). However, post-lease actions or authorizations (e.g., application for permit to drill, road ROW, pipeline ROW) would potentially be

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encumbered by mitigation measures, as necessary, consistent with these proposed decisions, on a case-by-case basis as required through project-specific National Environmental Policy Act (NEPA) analysis or other environmental review. The stipulations or conditions of approval would be in accordance with applicable laws, regulations, and if applicable lease terms.

As indicated above, some of the BLM-administered surface in the planning area is interspersed with other federal, state, and private lands. Other federal land management agencies with jurisdiction in the planning area include the United States Forest Service (USFS), United States Fish and Wildlife Service (USFWS), United States Department of Agriculture (USDA), Bureau of Reclamation, and the United States Bureau of Indian Affairs (BIA). These lands include the USFS Custer National Forest, USFWS Charles M. Russell National Wildlife Refuge, and USDA Fort Keogh Livestock and Range Research Laboratory.

Other landowners and land management agencies with significant holdings in the area include the Montana Department of Natural Resources and Conservation (MDNRC), which administers state trust lands and mineral estate; Fort Peck Tribes (Assiniboine and Sioux Tribes); Northern Cheyenne Tribe; and the Turtle Mountain Band of Chippewa. The Crow Tribe administers lands immediately adjacent to the planning area.

In cooperation with federal and non-governmental partners, Montana Fish, Wildlife and Parks (MFWP) delineated greater sage-grouse core habitat in Montana. Utilizing the greater sage-grouse delineations from MFWP, BLM further classified core areas as a priority area or restoration area for greater sage-grouse management. Some of the factors considered in the reclassification process included valid existing rights, existing disturbances, and foreseeable development based on the valid existing rights. The outcome of this effort resulted in the classification of four priority habitat areas (Carter, North Rosebud, Decker, and Garfield-McCone) and three restoration habitat areas (Cedar Creek, South Carter, and West Decker) (see Figure 1 and Map 4). Discussion on each of these areas and general habitat areas can be found in Chapter 3.

On December 9, 2011, a Notice of Intent was published in the Federal Register to initiate the BLM and U.S. Forest Service Greater Sage-Grouse Planning Strategy across 10 western states, including California, Oregon, Nevada, Idaho, Utah, and Southwest Montana in the Great Basin Region and Northwest Colorado, Wyoming, Montana, South Dakota, and North Dakota in the Rocky Mountain Region. This EIS is one of fifteen separate EISs analyzing the incorporation of specific conservation measures across the range of the GRSG, consistent with BLM policy. In the case of the Miles City RMP/EIS, notice of intent to revise the plan had been published in the Federal Register on February 4, 2005 (BLM 2005d), and the planning process was already well underway. The BLM had hosted several public scoping meetings during February and March of 2005 to explain the planning process and gather input, and had mailed more than 9,000 scoping brochures to agencies, organizations, and individuals, inviting participation in the planning initiative.

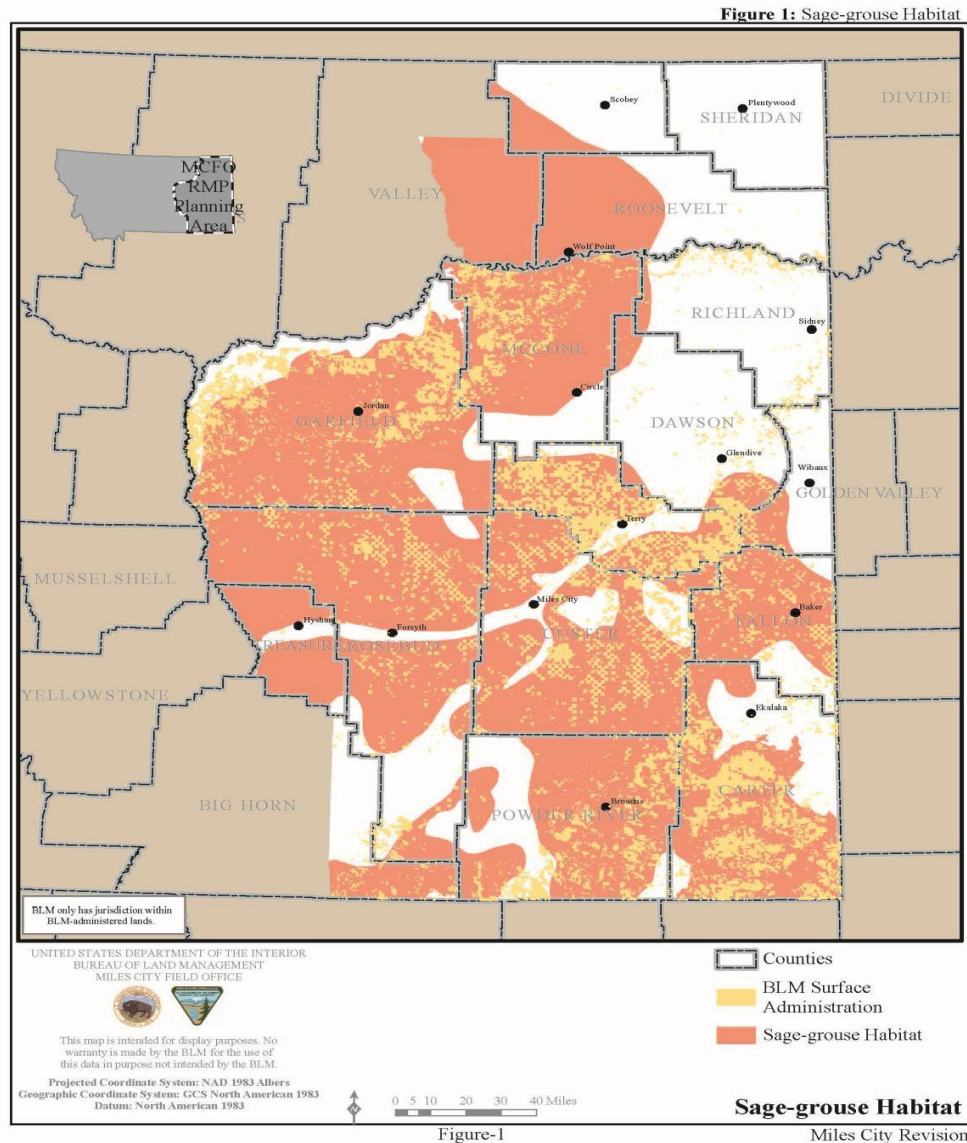
On November 21, 2014 the United States Geological Survey (USGS) published “Conservation Buffer Distance Estimates for Greater Sage-Grouse—A Review (USGS 2014). The USGS review provided a compilation and summary of published scientific studies that evaluated the influence of anthropogenic activities and infrastructure on Greater Sage-grouse populations. The BLM has reviewed this information and examined how lek buffer distances were addressed through land use allocations and other management actions in the Draft Miles City RMP/EIS. Based on this review, in undertaking BLM management actions, and consistent with valid existing rights and applicable law in authorizing third party actions, the BLM will apply the lek buffer distances in the USGS Report “Conservation Buffer Distance Estimates for Greater Sage Grouse—A Review (Open File Report 2014-1239)” in both Greater Sage-grouse General Habitat Management Areas (GHMAs) and Greater Sage-grouse Priority Habitat Management Areas (PHMA) as detailed in the *GRSG Conservation Buffer Appendix*.

PURPOSE AND NEED FOR REVISION OF THE RMPs

The purpose of the PRMP/FEIS is to provide a single, comprehensive land use plan to guide management of BLM-administered lands in the Miles City Field Office. This plan provides goals, objectives, land use allocations, and management direction for the BLM-administered surface and mineral estate based on multiple use and sustained yield, unless otherwise specified by law (Federal Land Policy and Management Act

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(FLPMA) Sec. 102(c), 43 U.S.C. 1701 et seq.) More specifically, consistent with valid existing rights and applicable law, the intent of the Miles City Proposed RMP/Final EIS is to provide a net conservation gain to the Greater Sage-Grouse.



This comprehensive plan is needed to address competing resource uses and values in the same area. In addition, conditions have changed since the original RMPs were approved. These include:

- Changed ecological, socioeconomic, institutional, and regulatory conditions;
- New laws, regulations, and policies that supersede previous decisions;
- Changing user demands and activities; and
- Changing tolerance or acceptance of impacts.

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The RMP is also being prepared to incorporate consistent objectives and conservation measures for the management of Greater Sage-grouse habitat. These conditions also drive the need for an inclusive, comprehensive plan that provides updated and clear direction to both the BLM and the public. The PRMP/FEIS also incorporates appropriate management actions and practices to enhance or restore Greater Sage-grouse habitat on BLM-administered land.

PLANNING PROCESS

FLPMA requires the BLM to use RMPs as tools by which “present and future use is projected” (43 United States Code [USC], Section 1701 [a][2]). FLPMA’s implementing regulations for planning, 43 Code of Federal Regulation (CFR) Part 1600, state land use plans are a preliminary step in the overall process of managing BLM-administered lands. The regulations state the plans are “designed to guide and control future management actions and the development of subsequent, more detailed and limited scope plans for resources and uses” (43 CFR Part 1601.0-2). Public participation and input are important components of land use planning.

The BLM uses a nine-step planning process when developing or revising RMPs, as required by 43 CFR, Part 1600, and planning program guidance in BLM handbook H-1601-1, Land Use Planning Handbook (BLM 2005). The planning process is designed to identify the uses of BLM-administered lands desired by the public and to consider these uses to the extent that they are consistent with the laws established by Congress and the policies of the executive branch of the federal government.

As part of these steps, a Notice of Availability announcing the release of the Draft RMP/EIS was published in the *Federal Register* on March 8, 2013, initiating a 90-day public comment period. Following receipt and consideration of public comments on the Draft RMP/EIS, the BLM prepared this PRMP/FEIS. The BLM prepared a Comment Analysis Report, which summarizes all substantive comments received during the 90-day public comment period and the BLM’s responses to those comments, including how the agency revised the Draft RMP/EIS based on comments. The report is presented in the PRMP/FEIS *Public Comments Appendix*.

A 30-day protest period and 60-day Governor’s consistency review period will be provided following publication of the PRMP/FEIS. At the end of the protest period and Governor’s consistency review, the BLM may issue a ROD approving implementation of any portion of the PRMP/FEIS not under protest. Approval will be withheld on any portion of the plan under protest until the protest has been resolved. After approval of the ROD, any new policies, regulatory changes, or changes in management direction may require plan maintenance or a plan amendment to consider their implementation.

Once an RMP is approved, a plan may be changed through amendment. An amendment is initiated by the need to consider monitoring and evaluation findings, new data, new or revised policy, or a change in circumstances. It may also be initiated by a proposed action that may result in a change in the scope of resource uses or a change in the terms, conditions, and decisions of the approved plan. If the BLM proposes to amend the plan, the amending process will follow the same procedure required for preparation and approval of the plan, but the focus is limited to that portion of the plan being amended (43 CFR Part 1610.5-5).

The planning process is issue driven and is undertaken to resolve management issues and problems, as well as to take advantage of management opportunities. The BLM uses the scoping process to identify planning issues to revise or modify an existing plan. The scoping process is also used to introduce the public to preliminary planning criteria, which set the parameters for conducting the planning process.

CHANGES BETWEEN THE DRAFT RMP/EIS AND THE PROPOSED RMP/FINAL EIS

As a result of public comments, best science, cooperating agency coordination, and internal review of the Draft RMP/EIS, the BLM has developed the Proposed RMP/FEIS for managing BLM-administered lands in the Rocky Mountain GRSG sub-region. The Proposed RMP/FEIS focuses on addressing public comments, while continuing to meet the BLM’s legal and regulatory mandates. The Proposed RMP/FEIS is a variation of the

preferred alternative (Alternative E) and is within the range of alternatives analyzed in the DEIS. The Proposed RMP appears as Alternative E throughout this document.

Changes made to the Proposed RMP/FEIS from the preferred alternative (E) in Draft RMP/EIS are largely those pertaining to the management of GRSG habitat and include, but are not limited to the following:

- Allocations for PHMA and GHMA — allocations in the proposed plan/FEIS provide more opportunities for uses in GHMA, while still maintaining conservation management by establishing screening criteria for project/activity review in GRSG habitat.
 - Oil and gas leasing now proposed No Surface Occupancy within 0.6 miles of Greater Sage-grouse leks in GHMAs (Analyzed in DEIS in Alternative B)
 - The oil and gas leasing No Surface Occupancy stipulation with WEMs in PHMAs in now NSO with no Waivers or Modifications (Alternatives analyzed range of closed to lease terms and NSO falls within that range).
 - Recommendations for ROWs in Greater Sage-grouse habitat are now grouped as “Minor” and “Major” (All ROWs were analyzed in Alternatives A through E.
 - A disturbance cap is recommended on Greater Sage-grouse PHMAs (Alternatives C and D)
 - PHMAs are now closed to new mineral material sales, however, these areas remain open to free use permits and the expansion of existing active pits only if certain criteria is met. (Alternatives A and B).
- USGS Buffer Study—Included a management action to incorporate the lek buffer-distances identified in the USGS report titled *Conservation Buffer Distance Estimates for Greater Sage Grouse—A Review: USGS Open File Report 2014-1239* (Mainer et al. 2014) during NEPA analysis at the implementation stage. Although the buffer report was not available at the time of the DEIS release, applying these buffers was addressed in the DEIS and is qualitatively within the spectrum of alternatives analyzed. Specifically, (Alternative B) identified and analyzed allocation restrictions such as closure to fluid minerals, recommendation for withdrawal, closed to mineral material, closed to ROWs, Alternatives A, C and D identified and analyzed fewer restrictions on development in GRSG habitat. Accordingly, the management decision to require lek buffers for development within certain habitat types is within the range of alternatives analyzed.
- Adaptive management—Identification of hard and soft adaptive management triggers for population and habitat and identified appropriate management responses. Chapter 2 of the DEIS identified that the BLM would further develop the adaptive management approach by identifying hard and soft triggers and responses. All of the adaptive management hard trigger responses were analyzed within the range of alternatives. For example, if a hard trigger is reached in GHMA, and GHMA would be managed as open to saleable minerals in the Proposed Plan, the response would be to manage it as closed to saleable minerals. This closure was analyzed under Alternative B in the Draft EIS.
- Monitoring and Disturbance – The monitoring framework was further refined in the FEIS, and further clarification as to how disturbance cap calculations would be measured were developed for the FEIS. During the public comment period, BLM received comments on how monitoring and disturbance cap calculations would occur at implementation. The DEIS outlined the major components of the monitoring strategy, as well as provided a table portraying a list of anthropogenic disturbances that would count against the disturbance cap. A BLM Disturbance and Monitoring Sub-team further enhanced the two Appendices (GRSG Disturbance Cap Appendix and GRSG Monitoring Framework Appendix) in the FEIS.
- Mitigation Strategy; Net Conservation Gain –The net conservation gain strategy is in response to the overall landscape-scale goal which is to enhance, conserve, and restore GRSG and its habitat. All of the action alternatives provided management actions to meet the landscape-scale goal.
- WAFWA Management Zone Cumulative Effects Analysis on GRSG – a quantitative cumulative effects analysis for GRSG was included in the FEIS. This analysis was completed to analyze the effects of management actions on GRSG at a biologically significant scale which as determined to be at the WAFWA Management Zone.
- Due to the constraints in sage-grouse habitat, the MLP has been eliminated from the Proposed Plan/Alternative E; however, is still being considered in Alternative C.

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- Public Comment on DEIS—Updated the FEIS based on public comment received on the DEIS (see Public Comment Appendix, Comment Analysis Report).
- See Chapter 5 for list of other changes between draft and final

NEPA requires agencies to prepare a supplement to the draft EIS: 1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns; or 2) if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. A supplement is not necessary if a newly formulated alternative is a minor variation of one of the alternatives is qualitatively within the spectrum of alternatives analyzed in the Draft EIS.

The Proposed RMP includes components of the alternatives analyzed in the Draft EIS. Taken together, these components present a suite of management decisions that present a minor variation of alternatives identified in the Draft RMP/Draft EIS and are qualitatively within the spectrum of alternatives analyzed.

As such, the BLM has determined that the Proposed RMP is a minor variation and that the impacts of the Proposed RMP would not affect the human environment in a substantial manner or to a significant extent not already considered in the EIS. The impacts disclosed in the Proposed RMP/Final EIS are similar or identical to those described Draft RMP/Draft EIS.

IMPLEMENTATION OF LAND USE PLANS

When a land use plan or land use plan amendment is approved, through signing of a ROD or other decision document (e.g. decision record), most of the land use plan decisions in the plan are effective immediately and require no additional planning or NEPA analysis. Subsequently proposed actions that lead to on-the-ground actions would require further review under the NEPA process.

These subsequent actions traditionally focus on single resource programs (e.g., oil and gas development, recreation management, ROWs, etc.) The decision to approve or not approve these actions is made with the appropriate level of NEPA analysis along with any procedural and regulatory requirements for individual programs. In addition, it will include the appropriate level of consultation or coordination with interested parties, including but not limited to federal agencies, state agencies, the public, and/or Native American Tribes. It is important to remember that all future projects on BLM administered surface or mineral estate would need to meet the goals and objectives of each resource area (e.g., soil, water, wildlife, vegetation).

The BLM also develops strategies to facilitate implementation of land use plans. An implementation strategy lists prioritized decisions that will help achieve the desired outcomes of one or more land use plans and can be implemented given existing or anticipated resources. Developing implementation strategies enables the BLM to prioritize the preparation of implementation decisions. Implementation strategies can include such steps as (1) developing a framework to portray the work; (2) identifying priorities for a given timeframe; (3) developing a budget for a given timeframe; and (4) developing an outreach strategy to support implementation.

MONITORING

The regulations in 43 CFR 1610.4-9 require that land use plans establish intervals and standards for monitoring, based on the sensitivity of the resource decisions involved. Land use plan monitoring is the process of tracking the implementation of land use planning decisions (implementation monitoring) and collecting data/information necessary to evaluate the effectiveness of land use planning decisions (effectiveness monitoring). The level and intensity of monitoring will vary depending on the sensitivity of the resource or area and the scope of the proposed management activity.

SCOPING AND ISSUES

As noted above, the Notice of Intent initiating the process of revising the Miles City RMP/EIS was published on December 9, 2011, which started the public scoping period. Issues identified during scoping were

considered during the preparation of the RMP. Scoping is a public involvement process to identify planning issues to be addressed in the RMP. Planning issues are disputes or controversies over existing or potential land and resource allocations, level of resource use, production, and related practices.

Issues under consideration in the preparation of the RMP include resource use, development, and protection opportunities. These issues may be the result of new information or changed circumstances and the need to reassess the appropriate mix of allowable uses. These planning issues provide the major focus for the development of the alternatives described in Chapter 2, *Alternatives*.

A notice of availability announcing the release of the Draft RMP/EIS was published in the Federal Register on March 7 2013, initiating a 90-day public comment period. The public comment period ended on June 5, 2013. During the 90-day public comment period, the public was provided the opportunity to review and comment on the Draft RMP/EIS. A total of 196 submissions were received, which included approximately 853 substantial comments. A total of 8 public meetings were held within the planning area.

ISSUES ADDRESSED

The following issues were identified during the public scoping period. Management actions designed to address the issues or resolve conflicts are described and analyzed in the RMP. The PRMP/FEIS includes changes as a result of comments received on the Draft RMP/EIS. A notice of availability announcing the release of the Draft RMP/EIS was published in the Federal Register on March 8, 2013, initiating a 90-day public comment period. The public comment period ended on June 5, 2013. During the 90-day public comment period, the public was provided the opportunity to review and comment on the Draft RMP/EIS. A total of 196 submissions were received, which included approximately 853 substantial comments. A total of 8 public meetings were held within the planning area.

The PRMP/FEIS includes changes as a result of comments received on the Draft RMP/EIS, which assisted the BLM to refine the discussion of these issues.

Issue 1: *How will vegetation be managed on BLM-administered lands to achieve healthy ecosystems while providing for a broad range of multiple uses?*

This issue highlights concerns over management of vegetation resources and communities. There is considerable interest in ensuring that vegetation management provides a range of commodity uses (such as timber and forest products, mineral development, and livestock grazing) while maintaining or restoring vegetative communities (such as riparian and wetland communities) to provide other resource values, such as high quality wildlife and aquatic habitat. In addition, the management of weeds and other nonnative invasive species was identified as a critical part of public land management.

Issue 2: *How will BLM-administered lands be managed to provide wildlife habitat and conserve and recover special status animal species and priority species?*

This issue identified concerns on how the RMP will focus on a multi-species, ecosystem approach to managing habitat for wildlife, fish, and special status plants and animals. Specifically the issue focuses on how the BLM would conserve habitat that supports viable populations of all native species; how habitat needs to be managed to accommodate natural disturbances such as fire, herbivory, and insect outbreaks; diverse vegetative communities need to be maintained and provided; and how uses need to be managed in a manner that conserves and enhances ecological processes.

Issue 3: *How should the BLM manage motorized public travel to meet the needs for public access and resource uses while minimizing user conflicts and impacts to air, soil, watersheds, vegetation, wildlife, and other resource values?*

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The issue focuses on how the BLM would manage the travel and off-highway vehicle use in a balanced approach to provide sustainable local economic benefits in a manner which minimizes or mitigates user conflict, safety concerns and resource impacts.

Issue 4: *How should recreation management accommodate the full range of recreational uses enjoyed by the public on BLM-administered lands?*

This issue focuses on the need to set direction for recreation management in light of increased demands on developed recreation sites and the need for new strategies to improve management efficiency, appropriate services, facilities, and public experiences; the need for special recreation permits to better protect natural resources, minimize user conflicts, and the need to classify recreation settings using the recreation setting characteristics system and modify existing special recreation management areas to provide a wide range of appropriate activities that foster beneficial experiences for the public.

Issue 5: *Which areas, if any, should be managed with special designations? How should they be managed to protect values that warrant their special designation status?*

This issue resulted in 8 new areas being nominated and reviewed for the special designation classification as areas of critical environmental concern (ACECs). In addition, to the new nominations the BLM also evaluated the management for the 16 current ACECs to determine if the ACECs meet the original relevant criteria, importance criteria, or require special management. Finally, the issue brought forth the management of national trails to protect their resource values and characteristics; the reevaluation of the suitability of rivers in the planning area for inclusion in the National Wild and Scenic River System; and the inclusion of the 5 wilderness study areas (WSAs) that are located within the planning area.

Issue 6: *Which areas, if any, qualify for a Master Leasing Plan (MLP)? How should they be managed to minimize conflicts between fluid mineral development and other resources?*

The MLP issue was introduced in Washington Office (WO) Leasing Reform Instruction Memorandum (IM) 2010-117 (BLM 2010). This IM promotes a proactive approach to planning for oil and gas development and provides additional planning, analysis, and decision-making may be necessary prior to oil and gas leasing because of changing circumstances, updated policies, and new information. To determine whether or not circumstances warrant additional planning and analysis, WO-IM-2010-117 lists numerous criteria to be considered. The list of criteria is discussed in Chapter 3 – Minerals Section and analysis for MLPs are discussed in Chapter 4 – Minerals Section.

Issue 7: *How can the BLM incorporate climate change adaptation or responses into its land management practices?*

This issues surrounding climate change presents a new challenge to the BLM in its ongoing efforts to address its mission. Although the size, scope, and timing of these effects is difficult to predict, this phenomenon is expected to affect a wide variety of resources (e.g., water, vegetation, and wildlife) and resource uses (e.g., livestock grazing and mineral development). Adapting land management practices to address climate change is likely to involve recognizing resource impacts that are caused by climate change (rather than normal weather variability); identifying management actions and best management practices (BMPs) that can reduce impacts to resources and resource uses; and implementing these management actions and BMPs.

Issue 8: *How will the exploration and development of BLM-administered minerals be managed in the planning area?*

This issue identified the need to provide direction on how BLM-administered minerals would be managed; to ensure areas available for mineral development are compatible with other resources and resource uses; to provide exploration and development are conducted in an environmentally sound manner, and, where possible, to conserve significant or unique geological features. Additionally, tied to this issue is how BLM-administered land would be managed to provide for the transportation of these minerals from one area to another.

MANAGEMENT CONCERNS

Management concerns are generally less controversial topics involving resources, resource management activities, or land uses. While these concerns are addressed in the plan, management related to them may or may not vary by alternative. However, the concerns described below were raised outside of the issues described previously.

Air Resources

Air resource concerns include impacts to air quality and air quality related values (AQRVs). Air quality concerns focus on protecting public health and the environment by maintaining or decreasing air pollutant concentrations. AQRV concerns focus on limiting adverse changes in visibility, acid deposition on plants and soil, and lake acidification in sensitive areas, such as national parks and wilderness areas.

Soils

Soils management concerns focus on maintaining or enhancing soil productivity and resiliency potential. Healthy soils sustain water and air quality and biotic productivity.

Water Resources

Protecting water quality and improving watershed function to support beneficial uses are management concerns for water resources. Additionally, concerns stem from water rights issues, including management of existing water rights and acquisition of new water rights (when feasible and with willing holders) where acquisition of the water right meets a management objective or need.

Cultural Resources, Traditional Cultural Properties, and Paleontological Resources

Cultural resources, traditional cultural properties, and paleontological resources concerns include compliance with laws, guidelines, and directives to ensure that resources are protected through appropriate mitigation and significant cultural, traditional, and paleontological resources are identified and evaluated prior to surface- disturbing activities.

Visual Resources

Visual resource management (VRM) concerns focus on the need to designate VRM classifications based on scenic quality, sensitivity levels, and distance zones, to guide management actions on public land.

Lands

Lands management concerns focus on establishing conditions for disposal, retention, or acquisition of land or interests in land. Criteria also need to be developed to assess the impacts of land disposal and acquisition when considering land tenure adjustments. An additional lands management concern is the availability of ROWs across BLM administered lands for accessing private withholdings or the installation of powerlines or pipelines.

Hazardous Materials

Hazardous material management concerns consist of the need to protect the public, employees, and environment from exposure to hazardous materials in public facilities or on public lands.

Social and Economic

Social and economic management concerns focus on changes to recreation, forestry, mining, livestock grazing, and other land uses as a result of increased population, economic growth, and continuing development in the

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planning area.

Environmental Justice

Management concerns for environmental justice pertain to the requirement that the BLM evaluate and disclose whether or not actions would place a disproportionate share of negative environmental consequences on populations covered by Executive Order 12898 (February 11, 1994).

American Indian Concerns

Management concerns identified by American Indian Tribes focused on the ways in which air quality, including visibility, will be preserved in designated (including the Northern Cheyenne Reservation) and federally mandated (including wilderness) areas. This concern also addresses ways in which the BLM will protect resources identified by each of the tribes (including air and water quality).

ISSUES CONSIDERED BUT NOT ANALYZED FURTHER

During scoping, several concerns were raised that are beyond the scope of this planning effort or that referred to the BLM planning process and implementation. Additionally, several issues were raised that are of concern to the public but governed by existing laws and regulations (e.g., water quality). Where law or regulation already dictates certain management, alternatives were not developed.

Policy or administrative actions include those actions that are implemented by the BLM because they are standard operating procedure, because federal law requires them, or because they are BLM policy. Administrative actions do not require a planning decision to implement. They are, therefore, issues that are eliminated from detailed analysis in this planning effort.

The *Miles City Field Office Resource Management Plan and Environmental Impact Statement Final Scoping Report* provides a comprehensive list of issues outside the scope of the RMP or issues addressed through administrative or policy action (Parametrix 2005). The scoping report is available at: http://www.blm.gov/style/medialib/blm/mt/field_offices/miles_city/rmp/scopingreport.Par.92962.File.dat/Final_RMP_Scoping_Report.pdf. Some major issues were considered but not analyzed because they were inconsistent with existing laws or higher-level management direction or because they were beyond the scope of the purpose and goals of this RMP. These issues include those described below.

Issue: The numbers of hunting permits issued should be changed.

- Response: Decisions regarding the number of hunting permits and other hunting regulations are the responsibility of Montana Fish, Wildlife, and Parks (MFWP).

Issue: The BLM should engage in prairie dog extermination.

- The BLM maintains and manages wildlife habitat to help ensure self-sustaining populations and a natural abundance and diversity of wildlife, including prairie dogs, on public lands. Control opportunities are prescribed within the Conservation Plan for Black-tailed and White-tailed Prairie Dogs in Montana (Montana Prairie Dog Working Group 2002).

Issue: Hunting and fishing should be recognized as historic, and traditional uses in the Upper Missouri river Breaks National Monument should be included in current and future management plans.

- Response: The Upper Missouri River Breaks National Monument is not located within the planning area.

Issue: Provide equitable distribution of firefighting resources across the state.

- Response: Personnel staffing is an administrative decision, and such decisions are not made in land use plans.

Issue: The Charles M. Russell National Wildlife Refuge should be returned to BLM management.

- Response: Any decision regarding the modification or revocation of existing withdrawals that added or withdrew lands to the National Wildlife Refuge System would require an Act of Congress and are outside the scope of this RMP.

Issue: Detailed surveys of proposed development areas should be conducted before any development occurs.

- Response: Site-specific analysis will take place during implementation of individual projects. Please refer to the planning section in the chapter.

Issue: Water from Fort Peck should remain in Montana.

- Response: decision regarding the disposition of water from the Fort Peck Dam and Reservoir are the responsibility of the United States Army Corps of Engineers.

Issue: Consider voluntary grazing permit retirement.

- Response: BLM will follow current guidance and regulation concerning relinquishment of grazing permitted use on the BLM administered lands. Land use allocations including, but not limited to grazing, are described under the alternatives.

Issue: Include specific measurable terms and conditions for livestock grazing in riparian areas, uplands, and wildlife and fisheries habitat.

- Response: Decision to include other terms and conditions on grazing permits or leases to assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands are made at the allotment and permit specific level. These decisions are incorporated at the individual permit renewal level and not in the RMP.

Issue: Prime and Unique Farmlands:

- Response: Prime farmland includes those agricultural lands best suited to producing food, forage, feed, fiber, and oilseed crops. Although soils considered prime farmlands (if irrigated) occur within the planning area, the unavailability of dependable water in these areas prevents their classification as prime farmland. Therefore, there are no classified prime farmlands on BLM-administered lands in the planning area.

PLANNING CRITERIA

The following planning criteria are the constraints or ground rules that guided and directed the preparation of the proposed plan. Planning criteria guide the resource specialists in the collection and use of inventory information, analysis of the management situation, definition and analyses of the alternatives, and selection of the proposed alternative. They focus on the decisions to be made in the plan and achieve the following:

- Provide an early, tentative basis for inventory and data collection needs,
- Enable the manager and staff to develop a preliminary planning base map delineating geographic analysis units, and
- Stimulate the development of planning criteria during public participation.

Planning Criteria used in the development of this RMP include:

1. The plan will be prepared collaboratively with federal, local, and state governments. While collaborators may recommend a preferred decision to the BLM, the BLM will retain its decision-making authority.
2. The plan will be completed in compliance with FLPMA and all other applicable laws.
3. The planning process will include preparation of an EIS that will comply with NEPA standards.
4. The proposed plan will comply with all applicable laws, regulations, and policy.
5. The scope of analysis will be consistent with the level of analysis supporting approved plans and in accordance with Bureau-wide standards and program guidance.
6. The plan will incorporate by reference all analyses, as appropriate from amendments that have been made to the RMPs, including the *Record of Decision, Oil and Gas Amendment, Billings-Powder*

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River- South Dakota Resource Management Plans/Environmental Impact Statements (BLM 1994b) and the *Final Statewide Oil and Gas Environmental Impact Statement and Proposed Amendment of the Powder River and Billings Resource Management Plans* (BLM, Montana Board of Oil and Gas Conservation, and Montana Department of Environmental Quality (MDEQ) 2003).

7. The RMP revision will incorporate by reference all appropriate prior WSA findings in the planning area.
8. Wild and scenic river values were already evaluated in the Big Dry RMP. Those determinations, consistent with existing policy, will be carried forward into this plan.
9. The plan will incorporate the requirements of BLM Handbook H-1624-1, *Planning for Fluid Mineral Resources*, and the results of the Energy Policy and Conservation Act (Public Law 94-163) inventories and implementing WO IMs. For example, the least restrictive oil and gas leasing stipulations that protect the resource will be selected as the proposed alternative for oil and gas leasing.
10. The plan will incorporate the requirements of the interagency reference guide entitled *Reasonably Foreseeable Development Scenarios and Cumulative Effects Analysis developed by the Rocky Mountain Federal Leadership Forum on NEPA, Oil and Gas, and Air Quality* (BLM 2002n).
11. BMPs such as those for oil and gas, road drainage, fire rehabilitation, and other activities will be considered as potential mitigation measures.
12. Resource allocations must be reasonable, achievable, measurable, and within available technological constraints.
13. The lifestyles and concerns of area residents will be recognized in the plan.
14. American Indian Consultation and Coordination: close coordination will take place to see that the Tribes' needs are considered and analyzed and that the BLM fulfills its trust responsibilities.
15. The planning process will include early consultation meetings with the USFWS during the development of the plan.
16. The plan will recognize the State's responsibility to manage wildlife populations, including uses such as hunting and fishing, within the planning area.
17. The plan will result in determinations as required by special program and resource specific guidance detailed in Appendices C and D of the BLM's Planning Handbook.
18. Decisions in the plan will strive to be compatible with the existing plans and policies of adjacent local, state, tribal, and federal agencies as long as the BLM decisions are in conformance with legal mandates on management of public lands.
19. The plan will establish new guidance and identify existing guidance upon which the BLM will rely in managing public lands and minerals within the planning area.
20. Geospatial data will be automated within GIS to facilitate discussions of the affected environment, alternative formulation, analysis of environmental consequences, and display of the results.
21. The *National Greater Sage-grouse Habitat Conservation Strategy* (BLM 2004i) requires that impacts to sagebrush habitat and sagebrush-dependent wildlife species (including Greater Sage-grouse) be analyzed and considered in the BLM's land use planning efforts for public lands with Greater Sage- grouse and sagebrush habitats.
22. The BLM will use the Western Association of Fish and Wildlife Agencies *Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats* (Connelly et al. 2004) and other appropriate resources to identify Greater Sage-grouse habitat requirements and BMPs.

LAWS

The management decision will be consistent with existing laws, regulations, and policy. The following provide an overview of the direction authorizing activities or guiding management of BLM-administered lands. It is not meant to be a comprehensive list.

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- 36 CFR Part 60
- 36 CFR Part 78
- 36 CFR Part 800
- 40 CFR 51
- 40 CFR 52.1370
- 40 CFR 52.29
- 40 CFR 81.327
- 40 CFR 81.417
- 43 CFR 2100, 2200, 2300, 2400, 2500 , 2600, 2700, 2800, 2900, and 9230
- 43 CFR 3600
- 43 CFR 3715
- 43 CFR 3802
- 43 CFR 3809
- 43 CFR 4100
- 43 CFR Group 3100
- 43 CFR Group 3200
- 43 CFR Group 3400
- 43 CFR Part 3500
- 43 CFR Part 7
- 43 CFR Parts 24, 1610 and 4180
- 43 CFR Subpart 3621
- 43 CFR Subpart 8365.1-5
- 43 CFR Subpart 3610
- 43 CFR, Subpart 3622
- 43 CFR Subpart 37
- 43 CFR Subpart 8200
- 43 CFR Subpart 8365
- 43 U.S.C. 1715
- 43 U.S.C. 2
- 43 U.S.C. 31 (a)
- 43 U.S.C. 52
- 78 Stat. 986
- 85-2-360, 85-2-361, and 85-2-362 Montana Code Annotated (MCA)
- Act of December 22, 1928 (Color of Title) (45 Stat. 1069) as amended (43 U.S.C. 1068, 1068a)
- Act of July 26, 1866 (Lode Act) (14 Stat. 251)
- Act of May 24, 1928, as amended (49 U.S.C. App. 211-213)
- Airport Grants (43 CFR 2640)
- American Indian Religious Freedom Act (42 U.S.C. 1996)
- Annotated Rules of Montana 17.30 Environmental Quality, Water Quality
- Antiquities Act of 1906 (Public Law 59-209; 34 Stat. 225; 16 U.S.C. 432, 433)
- Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), as amended
- Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.)
- Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668–668d).
- Bankhead Jones Farm Tenant Act of 1937 (7 U.S.C. 1010 et seq.)
- Carey Act Grant (43 CFR 2610),
- Carey Act of 1894 (43 U.S.C. 641), as amended
- Carlson-Foley Act of 1968 (42 U.S.C. 1241-1243)
- Classification and Multiple Use Act of 1964 (43 U.S.C. 1411–18)
- Clean Air Act (1970, 1977) (42 U.S.C. 1857)
- Clean Air Act of 1990 (42 U.S.C. 7401, 7418, 7642), as amended
- Clean Water Act (33 U.S.C. 1251 et seq.), as amended
- Color-of-Title (43 CFR 2540)
- Condemnation Act of 1888 (40 U.S.C. 257), as amended
- Conformity Regulations, Sec 176c of Clean Air Act
- Control of Pollution from Federal Facilities of 1970 (33 U.S.C. 1323)
- Crow Boundary Settlement Act (25 U.S.C. 1776)
- Declaration of Taking Act of 1931 (40 U.S.C. 258(a), (e))
- Desert Land Act of 1877 (43 U.S.C. 321 et seq.), as amended
- Desert-Land Entry (43 CFR 2520)
- Eagle Protection Act of 1962 (Public Law 87-884 (76 Stat. 1346))
- Emergency Wetland Resources Act of 1986
- Endangered Species Act (16 U.S.C. 1531 et seq.), as amended
- Energy Policy Act of 2005 (Public Law 109-58) (42 U.S.C. 15801 et seq.)
- Energy Policy and Conservation Act (Public Law 94-163)
- Engle Act of February 28, 1958 (43U.S.C. 156)
- Executive Order of November 26, 1884
- Executive Order of March 19, 1900
- Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970)
- Executive Order 11593, Protection and Enhancement of the Cultural Environment (May 13, 1971)
- Executive Order 11644. Use of Off-Road Vehicles on the Public Lands
- Executive Order 11987, Exotic Organisms (May 24, 1977)

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- Executive Order 11988, Floodplain Management (May 24, 1977)
- Executive Order 11989, Off-Road Vehicles on Public Lands (May 24, 1977)
- Executive Order 11990, Protection of Wetlands (May 24, 1977)
- Executive Order 12088, Federal Compliance with Pollution Control Standards (October 17, 1978))
- Executive Order 12548, Grazing Fees (February 14, 1986)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income
- Executive Order 12962, Recreational Fisheries (June 7, 1995)
- Executive Order 13007, Providing for American Indian and Alaska Native Religious Freedom and Sacred Land Protections (May 29, 1996)
- Executive Order 13084, Consultation and Coordination with Indian Tribal Governments (May 14, 1998)
- Executive Order 13112, Invasive Species (February 3, 1999)
- Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds (January 10, 2001)
- Executive Order 13195, Trails for America in the 21st Century Antiquities Act (16 U.S.C. 433).
- Executive Order 2147: March 16, 1915
- Executive Order 6910: November 26, 1934
- Executive Order 7960: Reservoir Site Reserve No. 20; Tongue River, Montana (August 22, 1938)
- Executive Order of April 17, 1926, Public Water Reserve 107 (Springs and Water Holes)
- Federal Cave Resource Protection Act of 1988 (16 U.S.C. 4301)
- Federal Land Assistance, Management, and Enhancement Act of 2009 (Public Law 111-88, Title IV, enacted October 30, 2009)
- FLPMA of 1976 (43 U.S.C. 1701 et seq.)
- Federal Land Transaction Facilitation Act of 2000 (43 U.S.C. 2301 et seq.)
- Federal Noxious Weed Act of 1974 (7 U.S.C. 2814), as amended
- Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226 et seq.)
- Federal Power Act of 1920, as amended (16 U.S.C. 818)
- Federal Water Pollution Control Act in 1956
- Federal-Aid Highway Act of 1958 (23 U.S.C. 207-209), as amended
- Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901-2911)
- Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661 et seq.)
- Flood Control Act of 1954
- Fort Belknap-Montana Compact closure (MCA 85-20-100)
- General Allotment Act (or Dawes Act) of 1887 (24 U.S.C. 388-391), as amended
- General Mining Law of 1872 (30 U.S.C. 22 et seq.), as amended Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.), as amended
- Government Performance and Results Act of 1993 (Public Law 103-62, 107 Stat. 285), as amended
- *Government-to-Government Relations with Native American Tribal Governments* (Memorandum signed by President Clinton on April 29, 1994).
- Healthy Forests Restoration Act in 2003 (16 U.S.C. 6501 et seq.)
- Historic Sites Act of 1935 (16 U.S.C. 461)
- Indian Allotment (43 CFR 2530)
- Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460 et seq.)
- Material Disposal Act of 1947 (Public Law 80-291)
- Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715) and treaties pertaining thereto
- Migratory Bird Treaty Act (16 U.S.C. 703 et seq.)
- Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 351 et seq.), as amended
- Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.), as amended
- Mineral Materials Act of 1947 (July 31, 1947) (30 U.S. Code 601 et seq.), as amended

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- Mining and Minerals Policy Act of 1970(30 U.S.C. 21a) (30 U.S.C. 1601 et seq.)
- Montana Natural Streambed and Land Preservation Act (310 Law), Title 75, Chapter 7, MCA of 1975
- Montana Noxious Weed Act (MCA 7-22-2116)
- Montana Stream Protection Act
- Montana Streamside Management Zone Law (Title 77-5-301 MCA)
- Montana Water Quality Act (75-5-301 MCA)
- Montana's Water Use Act of 1973 (85-2-101 et seq. MCA)
- NEPA of 1969 (42 U.S.C. 4321 et seq.), as amended
- National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.)
- National Parks and Recreation Act of 1978 (16 U.S.C. 1242-1243)
- National Trails System Act of 1968 (16 U.S.C. 1241-1249), as amended
- Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.)
- North American Wetland Conservation Act (16 U.S.C. 4401 et seq.)
- Northern Cheyenne Water Settlement Act(106 Statute 1186)
- Northern Cheyenne-Montana Compact(MCA 85-20-301)
- Occupational Safety and Health Act (29 U.S.C. 651 et seq.)
- Omnibus Public Land Management Act of 2009 (16 U.S.C. 7201–7203)
- Paleontological Resource Protection Act of 2009 Omnibus Lands Bill, Subtitle D, (16 U.S.C. 470aa)
- Protection Act of September 20, 1922 (16 U.S.C. 594)
- Public Domain Forest Management Policy of 1989
- Public Rangeland Improvement Act of 1978 (43 U.S.C. 1901 et seq.)
- Railroad Grants (43 CFR 2630)
- Reciprocal Fire Protection Act of May 27, 1955 (42 U.S.C. 1856), as amended
- Recreation and Public Purposes Act of 1926 (43 U.S.C. 869), as amended
- Recreation Fee Demonstration Project (PL104-134, HR 3019, Section 315)
- Rehabilitation Act of 1973, Section 504(29 U.S.C. 791)
- Reservoir Salvage Act of 1960 (16 U.S.C. 469), as amended
- Rivers and Harbors Act of 1899 (33 U.S.C. 403 10)
- Safe Drinking Water Act Amendments of 1977 (42 U.S.C. 201)
- Safe Drinking Water Act of 1996 (42 U.S.C. s/s 300f et seq.) (1974), as amended
- Secretarial Order 3289 (February 22, 2010)
- Sections 2275 and 2276 of the Revised Statutes, as amended
- Sikes Act (or the Act of September 15, 1960) (16 U.S.C. 670 et seq.), as amended
- Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 1901 et seq.)
- Soil Conservation and Domestic Allotment Act of 1935 (49 Stat. 163) (Public Law 74-46), as amended
- Soil Information Assistance for Community Planning and Resource Development Act of 1996 (42 U.S.C.3271 et seq)
- Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)
- State Grants (43 CFR 2620)
- Stock Raising Homestead Act (30 U.S.C. 54 and 43 U.S.C. 299)
- Streamside Management Zone Law (77-5-301 et seq. MCA)
- Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)
- Taylor Grazing Act (43 U.S.C. 315), as amended
- Toxic Substances Control Act (15 U.S.C. 2601 et seq.)
- Uniform Federal Accessibility Standards(49 Federal Register 31528)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1971(42 U.S.C. 4601)
- Water Pollution Control Act of 1948
- Water Quality Act of 1965
- Water Quality Act of 1987, as amended from the Federal Water Pollution Control Act of 1977 (33 U.S.C. 1251)
- Water Resources Planning Act (42 U.S.C. 1962)
- Watershed protection and Flood Control Act of 1954 (16 U.S.C. 1001 et seq.), as amended
- Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) as amended
- Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)

CONSISTENCY WITH OTHER PROGRAMS, PLANS, AND POLICIES

The BLM is aware that there are specific state laws and local plans relevant to aspects of public land management that are discrete from, and independent of, federal law. However, BLM is bound by federal law. As a consequence, there may be inconsistencies that cannot be reconciled. The FLPMA and its implementing regulations require that BLM's land use plans be consistent with officially-approved state and local plans only if those plans are consistent with the purposes, policies, and programs of federal laws and regulations applicable to public lands. Where officially-approved state and local plans or policies and programs conflict with the purposes, policies, and programs of federal law applicable to public lands, there will be an inconsistency that cannot be resolved. With respect to officially-approved state and local policies and programs (as opposed to plans), this consistency provision only applies to the maximum extent practical. While county and federal planning processes, under FLPMA, are required to be as integrated and consistent as practical, the federal agency planning process is not bound by or subject to state or county plans, planning processes, policies, or planning stipulations.

COUNTY PLANS

- *Valley County Resource Use Plan* (2005)
- *Big Horn County Growth Policy* (2002)
- *Dawson County/Glendive Growth Policy* (2006)
- *Fallon County Growth Policy* (2006)
- *Growth Policy for Richland County, Sidney, and Fairview* (2007)
- *Prairie County, Montana Growth Policy* (2006)
- *Garfield County Policies* (2010)
- *Powder River County Growth Policy and Land Use Plan* (2012 update)
- *Custer County Growth Policy* (2013)
- *Sheridan County Growth Policy* (2013)
- *McCone County Comprehensive Plan and Growth Policy* (2007)
- *Carter County Resource Use Plan* (2006)
- *Dawson County Community Wildfire Protection and Pre-Disaster Mitigation Plan* (2005)
- *Wibaux County Community Wildfire Protection and Pre-Disaster Mitigation Plan* (2005)
- *McCone County Community Wildfire Protection and Pre-Disaster Mitigation Plan* (2005)
- *Prairie County Community Wildfire Protection and Pre-Disaster Mitigation Plan* (2005)
- *Richland County Community Wildfire Protection and Pre-Disaster Mitigation Plan* (2005)
- *Rosebud County Wildfire Protection Plan* (2004)
- *Final Carter County Community Wildfire Protection Plan* (2005)
- *Custer County Community Wildfire Protection Plan* (2005)
- *Treasure County Pre-Disaster Mitigation Plan Community Wildfire Protection Plan* (2005)
- *Community Wildfire Protection and Pre-Disaster Mitigation Plan, Fallon County* (2005)

STATE PLANS

- *Montana's Comprehensive Fish and Wildlife Conservation Strategy* (2005)
- *Management Plan and Conservation Strategies for Sage Grouse in Montana-Final* (2005)
- *Montana Statewide Elk Management Plan* (2004)
- *Conservation Plan for Black-tailed and White-tailed Prairie Dogs in Montana* (2002)
- *Montana Bald Eagle Management Plan (Second edition)* (1994)
- *Montana Bald Eagle Management Guidelines: An Addendum to Montana Bald Eagle Management Plan* (2010)
- *Montana Nonpoint Source Management Plan* (2007)
- *Montana Statewide Comprehensive Outdoor Recreation Plan 2008 to 2012* (2008)
- *Montana Bighorn Sheep Conservation Strategy* (2010)
- *Draft Redwater River Nutrient and Salinity TMDLs and Framework Water Quality*

- Improvement Plan (2010).*
- State of Montana Air Quality Monitoring Network Plan (2010)*
- Montana Piping Plover Management Plan (2006)*
- Montana Interior Least Tern Management Plan (2006)*
- The Governor of the State of Montana issued Executive Order 10-2014 which created the Montana Sage Grouse Oversight Team (MSGOT) and the Montana Sage Grouse Habitat Conservation Program. The executive order outlines a number of conservation strategies for Montana state agencies to follow for land uses and activities in sage-grouse habitat. The State conservation efforts are complementary to the conservation measures proposed in the PRMP/FEIS and when combined will provide conservation efforts across land ownership boundaries.*

OTHER FEDERAL AGENCY PLANS

- Custer National Forest and National Grasslands Record of Decision (1987), as amended*
- Crow Indian Reservation Natural, Socioeconomic, and Cultural Resources Assessment and Conditions Report (2002)*
- Lewis and Clark National Historic Trail Comprehensive Plan for Management and Use (National Park Service 1982)*
- Final Comprehensive Conservation Plan and Environmental Impact Statement Charles M. Russell National Wildlife Refuge UL Bend National Wildlife Refuge (2012)*

OTHER NATIONAL AND STATEWIDE PLANS

- Record of Decision, Implementation of a Wind Energy Development Program and Associated Land Use Plan Amendments (2005)*
- Montana Statewide Wilderness Study Report (Volume II), Wilderness Study Area Specific Recommendations (1991)*
- Review and Update of the 1995 Federal Wildland Fire Management Policy (2001)*
- Guidance for Implementation of Federal Wildland Fire Management Policy (2009)*
- National Sage-grouse Habitat Conservation Strategy (2004)*
- Fire/Fuels Management Plan Environmental Assessment/Plan Amendment for Montana and the Dakotas (2003)*
- Nongame Migratory Bird Habitat Conservation Plan. Fish and Wildlife 2000 (1992)*
- Draft International Recovery Plan for the Whooping Crane. Ottawa: Recovery of Nationally Endangered Wildlife (RENEW) and United States Fish and Wildlife Service (2005)*
- Conservation Assessment and Conservation Strategy for Swift Fox in the United States (1997)*
- Greater Sage-grouse Habitat Conservation Strategy (2009)*
- Final Recovery Plan for the Pallid Sturgeon (*Scaphirhynchus albus*) (1993)*
- Revised Recovery Plan for Piping Plovers, *Charadrius melodus*, Breeding on the Great Lakes and Northern Great Plains (1994), National Bald Eagle Management Guidelines (2007)*
- Black-footed Ferret Recovery Plan (1988)*

POLICY

Decisions in the RMP will be implemented in conjunction with the BLM budgeting process. An implementation schedule will be developed and provide for the systematic completion of decisions in the approved RMP.

The BLM released Handbook H-8320-1, Planning for Recreation and Visitor Services on August 22, 2014. The handbook assists BLM staff in the planning and management of recreation and visitor services on public land.

CHAPTER 1

PURPOSE AND NEED

The release of the handbook coincided with the final development of the PRMP/FEIS. Accordingly, not all recreation and visitor services decisions in this PRMP/FEIS follow the recommended format provided in the handbook. However, the PRMP/FEIS complies with the requirements for establishing desired conditions, allowable uses and actions related to the management of recreation and visitor services as discussed in Handbook H-8320-1.

Greater Sage-grouse Conservation Objectives: Priority Areas for Conservation (PACs) and how they correlate with Priority and General Habitat Management Areas

In 2012, The Director of the USFWS asked the Conservation Objectives Team (COT), consisting of state and USFWS representatives, to produce recommendations regarding the degree to which the threats need to be reduced or ameliorated to conserve Greater Sage-grouse so that it would no longer be in danger of extinction or likely to become in danger of extinction in the foreseeable future. The Conservation Objectives Team Final Report (USFWS 2013) (COT Report) provides objectives based upon the best scientific and commercial data available at the time of its release. The BLM planning decisions analyzed in the RMP are intended to ameliorate threats identified in the COT report and to reverse the trends in habitat condition. The COT Report can be viewed online at the following address: <http://www.fws.gov/mountain-prairie/species/birds/sagegrouse/COT/COT-Report-with-Dear-Interested-Reader-Letter.pdf>.

The highest level objective in the COT Report is identified as meeting the objectives of WAFWA's 2006 Greater Sage-grouse Comprehensive Strategy of "reversing negative population trends and achieving a neutral or positive population trend."

The COT Report provides the Western Association of Fish and Wildlife Agencies (WAFWA) Management Zone and Population Risk Assessment. The report identifies localized threats from sagebrush elimination, fire, conifer encroachment, agricultural conversion, weed and annual grass invasion, mining, free-roaming wild horses and burros, urbanization, and widespread threats from energy development, infrastructure, grazing, and recreation (USFWS 2013).

Key areas across the landscape that are considered "necessary to maintain redundant, representative, and resilient populations" are identified within the COT Report. The USFWS in concert with the respective state wildlife management agencies identified these key areas as Priority Areas for Conservation (PACs). Within the Miles City Field Office, the PACs consist of a total 3.35 million acres, regardless of land ownership. Under the Proposed Plan, the PACs are comprised of 599,500 acres of PHMA managed by the BLM.

While energy development has been identified as the primary threat to the greater sage-grouse within its eastern range, this area is not immune to the threat of wildfire. Within the Rocky Mountain Region wildfire was identified by the COT Report as a present and widespread threat in seven of thirteen priority areas of conservation (PACs) and as a present but localized threat in the remaining PACs. While fire is a naturally occurring disturbance in the sagebrush steppe, the incursion of non-native annual grasses is facilitating an increase in mean fire frequency which can preclude the opportunity for sagebrush to become re-established. As such the RMP includes requirements (referred to as Greater Sage-grouse Wildfire and Invasive Species Habitat Assessment in appendices in Draft documents) that landscape scale Fire and Invasive Assessments be completed and updated regularly to more accurately define specific areas to be treated to address threats to sagebrush steppe habitat. Within the Rocky Mountain region, assessments have not yet been completed but will be scheduled based on the need to identify and address potential threats. Additionally, the Secretary of the Interior issued Secretarial Order 3336 on January 5, 2015 which establishes the protection, conservation and restoration of "the health of the sagebrush-steppe ecosystem and, in particular, greater sage- grouse habitat, while maintaining safe and efficient operations as a critical fire management priority for the Department". The Secretarial Order called for a final report of activities to be implemented prior to the 2016 Western fire season. This will include prioritization and allocation of fire resources and the integration of emerging science, enhancing existing tools to implement the Resource Management Plan and improve our ability to protect sagebrush-steppe from damaging wildfires.

On October 27, 2014, the USFWS provided the BLM and Forest Service a memorandum titled “Greater Sage- Grouse: Additional Recommendations to Refine Land Use Allocations in Highly Important Landscapes”. The memorandum and associated maps provided by the USFWS identify areas that represent recognized “strongholds” for GRSB that have been noted and referenced as having the highest densities of GRSB and other criteria important for the persistence of the species. Within these areas, the BLM identified Sagebrush Focal Areas (SFAs), which are PHMAs with additional management. While there is an area in the Miles City Planning Area recognized by USFWS as a stronghold, that area is already managed as a WSA and is not identified as an SFA.

COLLABORATION

There are 28 formally designated cooperating agencies for the RMP planning process. These include federal, state, and local agencies and tribal governments:

- Fork Peck Tribes,
- Lower Brule Sioux Tribe,
- BIA,
- USEPA,
- USFWS,
- MDEQ,
- MDNRC,
- MFWP,
- Big Horn County,
- Carter County Conservation District,
- Carter County,
- Custer County,
- Daniels County,
- Fallon County,
- Garfield County Conservation District,
- Garfield County,
- McCone County,
- McCone County Conservation District,
- Powder River County,
- Prairie County,
- Prairie County Conservation District,
- Prairie County Cooperative State Grazing District,
- Richland County,
- Richland County Conservation District
- Rosebud County,
- Sheridan County,
- Treasure County, and
- Wibaux Conservation District

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